

PRACTICE DIRECTION
No. 17 of 2012

EVIDENCE BY VIDEO CONFERENCING FACILITIES

LOCAL COURT

The following Practice Direction is issued pursuant to section 21 of the *Local Court Act*.

Practice Direction No 3 of 2002 is revoked.

BACKGROUND

The purpose of this Practice Direction is to ensure that matters in the Local Court are dealt with as efficiently and effectively as possible where it is proposed to adduce evidence by the use of videoconferencing facilities.

A further purpose of this Practice Direction is to ensure that all applications for an order to adduce evidence by the use of video conferencing facilities are made to the Magistrate to whom a proceeding has been allocated for hearing (Hearing Magistrate).

PRACTICE DIRECTION

1. If a party seeks an order that it may adduce evidence by the use of video conferencing facilities, it must apply for an order by filing an application in accordance with Form 25A and serve a copy of the application on each other party.
2. The application must state the name of the witness to be examined and the nature of the evidence to be given by the witness and, if applicable, the arrangements the party has made for the communication link.
3. The application must be heard by the Hearing Magistrate or by a Judicial Registrar, if directed to do so by the Magistrate.

4. The Hearing Magistrate may make orders he or she considers appropriate, including orders in respect of the following matters:

(a) the witness or witnesses who may give evidence by video conferencing facilities;

(b) the date, time and place of the communication link;

(c) whether the evidence in chief of an expert witness to be adduced by the communication link is to be confined to that expert's statement.

5. A party who is given leave to adduce evidence by the use of video conferencing facilities shall:

(a) arrange and pay for the booking of the necessary facilities at both ends of the communication link and all other associated costs and expenses;

(b) contact the other facility and make the booking, and request that facility to telephone the head of the orderlies section on 08 89996085 to liaise with that person as to whether those times are suitable to the Court; and

a. make the booking of the Court facilities by completing the attached form, including an undertaking to meet the costs and expenses of the communication link.



Hilary Hannam

Chief Magistrate

21/5/2012

COURTS ADMINISTRATION
REQUEST FOR VIDEOCONFERENCE

To: COURT OFFICER SECTION
 OF DARWIN MAGISTRATES COURTS

Videoconferencing facilities are requested for use in the following matter:

_____ (eg. 20012345 Smith Pty Ltd v Jones)

Other: _____

Details of proposed VCF transmission:

Day/Date: _____

Time to commence transmission: _____ Estimated duration: _____

(Central Standard time)

Location of remote site	
Contact details of remote site	
Name of witness/party at remote site	
Participants	Venue
Coram (if known)	
Number of witnesses to give evidence by videoconference	(eg. Katherine x 3 witness)
Other	

Are the following required?

Services	Indicate if required	Remarks
Recording of the videoconference on VCR (Not available at Alice Springs)	Y N	
Use of a document camera	Y N	
Fax/ telephone/ other	Y N	

I / We agree to reimburse Courts Administration for the cost of the videoconferencing transmission in respect of the above matter, including the cost of transmission during the testing of the videoconferencing set up.

Signature: _____

Date: _____

Full Name: _____

Company / firm: _____

Phone number: _____

Email address: _____

VIDEOCONFERENCING FEES

Effective at 18 June 2007

The cost of each videoconference, as determined by the Executive Director, Courts Administration, at 18 June 2007 is:

COSTS

Service Charge: Minimum cost

- (a) to set up and test a video-link for the first 15 minutes use of equipment and attendance of Court Officer: \$150.00 (GST inclusive).

- (b) second and subsequent completed quarter hours, use of equipment and attendance of Court Officer \$54.00 per ¼ hour (GST inclusive).

Transmission Costs:

National

\$118.80 first hour or part thereof then \$29.70 per ¼ hour or part thereof (GST inclusive).

International

Charges will vary according to locality

Cancellation Fee: \$110.00 (GST inclusive) if cancelled less than 2 working days before the time of proposed conference.

Equipment/Room Hire: \$55.00 per ½ hour or part thereof (GST inclusive).

Note: All charges are inclusive of GST